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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Cubukcu et al.	)	Examiner:
Serial No.:	10/612,330	)	Art Unit: 1746
Filed:	July 2, 2003	)	
For:	**CERAMIC COMPOSITE ELECTROLYTIC DEVICE AND METHOD**	)	Attorney Docket No.: 21980/04012
		)	Customer No. 24024

Commissioner for Patents
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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the restriction requirement of June 14, 2006, applicants elect Group II drawn to claims 4-33, with traverse.

MPEP § 806.01 makes clear that it is the **claimed** subject matter which must be compared in determining if a restriction is warranted. Here, the examiner's explanation of why Groups I and II are drawn to distinct inventions appears to disregard the language of claims 1 and 4, respectively. Claim 4 merely refers to "applying" a ceramic material, which is generic to all of the particular coating techniques cited by the examiner. Thus, there is no basis for asserting that claims 1 and 4 are distinct from one another.

Since claims 5-33 depend on claim 4, this restriction is improper as it relates to these claims as well. *See*, MPEP § 806.04 & 37 C.F.R §1.146. (Restriction between a reasonable number of species claims linked by an allowable generic claim is improper.)

Respectfully submitted

Date: 6/26/06

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(JEN1638.DOC;1)